ADMINISTRATIVE ORDER OF THE CHIEF ADMINISTRATIVE JUDGE OF THE COURTS

(revised August 16, 2017)

Pursuant to the authority vested in me, and in consultation with the Presiding Justices of the Appellate Divisions, upon notice by the Presiding Judge of the Court of Claims, and, as appropriate, in consultation with or with the approval of County Clerks, I hereby establish, continue, or give notice of, programs for the voluntary and mandatory use of electronic means for the filing and service of documents ("e-filing") in the manner authorized pursuant to L. 1999, c. 367, as amended by L. 2009, c. 416, L. 2010, c. 528, L. 2011, c. 543, L. 2012, c. 184, L. 2013, c. 113, L. 2015, c. 237, and L. 2017, c. 99 in the counties, courts, and cases in effect as of the date of this Order or upon the effective dates set forth in Appendix A (e-filing matters) attached hereto. Such programs shall be subject to sections 202.5-b, 202.5-bb, 206.5, 206.5-aa, 207.4-a, 207.4-aa, and 208.4-a of the Uniform Rules for the New York State Trial Courts, as well as the rules relating to matrimonial matters set forth in Appendix B. This Order is effective August 16, 2017, and supersedes AO/84/17 and AO/170/17.

Dated: August 16, 2017

AO/170A/17

(commenced on or after August 16, 2017)
SUPREME COURT

Albany	Consensual/Voluntary: • all actions except - Election Law proceedings - matrimonial matters - Mental Hygiene Law matters - actions authorized for mandatory program listed below Mandatory: • tax certiorari (excluding RPTL §730 proceedings)	
Bronx	Consensual/Voluntary: • consumer credit transactions as defined in CPLR 105(f) • residential foreclosures as defined in RPAPL §1304	
	Mandatory: • all actions except - CPLR Art. 70 proceedings - CPLR Art. 78 proceedings - Election Law proceedings - matrimonial matters - Mental Hygiene Law matters - consumer credit transactions as defined in CPLR 105(f) - residential foreclosures as defined in RPAPL §1304	

Broome	Consensual/Voluntary: CPLR Art. 70 proceedings CPLR Art. 78 proceedings emergency medical treatment applications matrimonial matters (See Appendix B relating to matrimonial filings.) Mental Hygiene Law matters name change applications consumer credit transactions as defined in CPLR 105(f) residential foreclosures as defined in RPAPL §1304 RPTL §730 proceedings
	• all actions except - CPLR Art. 70 proceedings - CPLR Art. 78 proceedings - Election Law proceedings - emergency medical treatment applications - matrimonial matters - Mental Hygiene Law matters - name change applications - consumer credit transactions as defined in CPLR 105(f) - residential foreclosures as defined in RPAPL §1304 - RPTL §730 proceedings

^{*} For cases commenced prior to August 16, 2017, see AO/243/08, AO/244/08, AO/371/09, AO/395/10, AO/396/10, AO/507/10, AO/376/11, AO/468/11, AO/527/11, AO/529/11, AO/530/11, AO/531/11, AO/235/12, AO/236/12, AO/237/12, AO/238/12, AO/245/12, AO/112/13, AO/173/13, AO/222/13, AO/029/14, AO/64/14, AO/210/14, AO/049/15, AO/058/15, AO/194/15, AO/10/16, AO/79/16, AO/151/16, AO/224/16, AO/24/17, and AO/84/17; see also, administrative orders of the Court of Claims dated 12/31/02 and 6/3/13 (www.nycourts.gov/efile).

(commenced on or after August 16, 2017)
SUPREME COURT

Chautauqua	Consensual/Voluntary: • all actions except - Election Law proceedings - matrimonial matters - Mental Hygiene Law matters Mandatory: None
Cortland	Consensual/Voluntary: • all actions except - Mental Hygiene Law matters (See Appendix B relating to matrimonial filings.) Mandatory: None

Dutchess	Consensual/Voluntary:
	CPLR Art. 70 proceedings
	CPLR Art. 78 proceedings
1	matrimonial matters (See
1	Appendix B relating to
	matrimonial filings.)
ļ	consumer credit transactions as
}	defined in CPLR 105(f)
	residential foreclosures as
	defined in RPAPL §1304
	Mandatory:
	• all actions <u>except</u>
	- CPLR Art. 70 proceedings
	- CPLR Art. 78 proceedings
	- Election Law proceedings
	- matrimonial matters
	- Mental Hygiene Law matters
	consumer credit transactions as
	defined in CPLR 105(f)
	- residential foreclosures as
	defined in RPAPL §1304
Erie	Consensual/Voluntary:
ĺ	CPLR Art. 70 proceedings
	CPLR Art. 78 proceedings
	• RPTL §730 proceedings
	Mandatory:
	• all actions except
	- CPLR Art. 70 proceedings
	- CPLR Art. 78 proceedings
	- Election Law proceedings
	- in rem tax foreclosures
	– matrimonial matters
	Mental Hygiene Law matters
	- RPTL §730 proceedings
	·

^{*} For cases commenced prior to August 16, 2017, see AO/243/08, AO/244/08, AO/371/09, AO/395/10, AO/396/10, AO/507/10, AO/376/11, AO/468/11, AO/527/11, AO/529/11, AO/530/11, AO/531/11, AO/235/12, AO/236/12, AO/237/12, AO/238/12, AO/245/12, AO/112/13, AO/173/13, AO/222/13, AO/029/14, AO/64/14, AO/210/14, AO/049/15, AO/058/15, AO/194/15, AO/10/16, AO/79/16, AO/151/16, AO/224/16, AO/24/17, and AO/84/17; see also, administrative orders of the Court of Claims dated 12/31/02 and 6/3/13 (www.nycourts.gov/efile).

(commenced on or after August 16, 2017)

Essex	Consensual/Voluntary: None
	Mandatory: • tax certiorari (excluding RPTL §730 proceedings) • eminent domain matters • foreclosure actions involving real property (but excluding mechanics liens and in rem tax foreclosures)
Kings	Consensual/Voluntary: • all actions except - CPLR Art. 70 proceedings - Election Law proceedings - emergency medical treatment applications - matrimonial matters - Mental Hygiene Law matters - name change applications - sale or finance of religious/not for profit property - actions authorized for mandatory program listed below Mandatory: • Commercial Division matters (commercial cases as defined in 22 NYCRR §202.70(a), (b), and (c)) • tort

Livingston	Consensual/Voluntary: • all actions except – Mental Hygiene Law matters (See Appendix B relating to matrimonial filings.) Mandatory: None
Monroe	Consensual/Voluntary: • all actions except - CPLR Art. 70 proceedings - CPLR Art. 78 proceedings - Election Law proceedings - matrimonial matters - Mental Hygiene Law matters - residential foreclosures as defined in RPAPL § 1304 Mandatory: None

^{*} For cases commenced prior to August 16, 2017, see AO/243/08, AO/244/08, AO/371/09, AO/395/10, AO/396/10, AO/507/10, AO/376/11, AO/468/11, AO/527/11, AO/529/11, AO/530/11, AO/531/11, AO/235/12, AO/236/12, AO/237/12, AO/238/12, AO/245/12, AO/112/13, AO/173/13, AO/222/13, AO/029/14, AO/64/14, AO/210/14, AO/049/15, AO/058/15, AO/194/15, AO/10/16, AO/79/16, AO/151/16, AO/224/16, AO/24/17, and AO/84/17; see also, administrative orders of the Court of Claims dated 12/31/02 and 6/3/13 (www.nycourts.gov/efile).

(commenced on or after August 16, 2017)

Nassau	Consensual/Voluntary: consumer credit transactions as defined in CPLR 105(f) residential foreclosures as defined in RPAPL §1304 Mandatory: all actions except CPLR Art. 70 proceedings CPLR Art. 78 proceedings Election Law proceedings matrimonial matters Mental Hygiene Law matters consumer credit transactions as defined in CPLR 105(f) residential foreclosures as defined in RPAPL §1304
New York	Consensual/Voluntary: •CPLR Art. 70 proceedings •CPLR Art. 78 proceedings • contested matrimonial matters Mandatory: • all actions except - CPLR Art. 70 proceedings - CPLR Art. 78 proceedings - Election Law proceedings - matrimonial matters - Mental Hygiene Law matters

Consensual/Voluntary: CPLR Art. 70 proceedings CPLR Art. 78 proceedings
 CPLR Art. 70 proceedings
• in rem tax foreclosures
• RPTL §730 proceedings
• consumer credit transactions as
defined in CPLR 105(f)
• residential foreclosures as
defined in RPAPL §1304
U
Mandatory:
• all actions except
- CPLR Art. 70 proceedings
- CPLR Art. 78 proceedings
- Election Law proceedings
 matrimonial matters
- Mental Hygiene Law matters
- in rem tax foreclosures
– RPTL §730 proceedings
- consumer credit transactions as
defined in CPLR 105(f)
- residential foreclosures as
defined in RPAPL §1304

^{*} For cases commenced prior to August 16, 2017, see AO/243/08, AO/244/08, AO/371/09, AO/395/10, AO/396/10, AO/507/10, AO/376/11, AO/468/11, AO/527/11, AO/529/11, AO/530/11, AO/531/11, AO/235/12, AO/236/12, AO/237/12, AO/238/12, AO/245/12, AO/112/13, AO/173/13, AO/222/13, AO/029/14, AO/64/14, AO/210/14, AO/049/15, AO/058/15, AO/194/15, AO/10/16, AO/79/16, AO/151/16, AO/224/16, AO/24/17, and AO/84/17; see also, administrative orders of the Court of Claims dated 12/31/02 and 6/3/13 (www.nycourts.gov/efile).

(commenced on or after August 16, 2017)

Oneida	Consensual/Voluntary: - consumer credit transactions as defined in CPLR 105(f) - residential foreclosures as defined in RPAPL §1304 Mandatory: • all actions except - CPLR Art. 70 proceedings	Onondaga	Consensual/Voluntary: • CPLR Art. 78 proceedings • name change applications • non-residential foreclosures, including in rem tax foreclosures, commercial foreclosures, and mechanics lien matters Mandatory:
	- CPLR Art. 78 proceedings - Election Law proceedings - emergency medical treatment applications - matrimonial matters - Mental Hygiene Law matters - name change applications - RPTL §730 proceedings - consumer credit transactions as defined in CPLR 105(f) - residential foreclosures as defined in RPAPL §1304		• all actions except - CPLR Art. 70 proceedings - CPLR Art. 78 proceedings - Election Law proceedings - emergency medical treatment applications - foreclosure actions addressing real property and mechanics liens - matrimonial matters - Mental Hygiene Law matters - name change applications - RPTL §730 proceedings

^{*} For cases commenced prior to August 16, 2017, see AO/243/08, AO/244/08, AO/371/09, AO/395/10, AO/396/10, AO/507/10, AO/376/11, AO/468/11, AO/527/11, AO/529/11, AO/530/11, AO/531/11, AO/235/12, AO/236/12, AO/237/12, AO/238/12, AO/245/12, AO/112/13, AO/173/13, AO/222/13, AO/029/14, AO/64/14, AO/210/14, AO/049/15, AO/058/15, AO/194/15, AO/10/16, AO/79/16, AO/151/16, AO/224/16, AO/24/17, and AO/84/17; see also, administrative orders of the Court of Claims dated 12/31/02 and 6/3/13 (www.nycourts.gov/efile).

(commenced on or after August 16, 2017)

SUPREME COURT

		_		
Ontario	Consensual/Voluntary: CPLR Art. 70 proceedings CPLR Art. 78 proceedings Election Law proceedings matrimonial matters (See Appendix B relating to matrimonial filings.) Mental Hygiene Law matters consumer credit transactions as defined in CPLR 105(f) residential foreclosures as defined in RPAPL §1304 Mandatory: all actions except CPLR Art. 70 proceedings CPLR Art. 78 proceedings Election Law proceedings matrimonial matters Mental Hygiene Law matters consumer credit transactions as defined in CPLR 105(f) residential foreclosures as		Orange	Consensual/Voluntary: CPLR Art. 78 proceedings matrimonial matters (See Appendix B relating to matrimonial filings.) RPTL §730 proceedings consumer credit transactions as defined in CPLR 105(f) residential foreclosures as defined in RPAPL §1304 Mandatory: all actions except CPLR Art. 70 proceedings CPLR Art. 78 proceedings Election Law proceedings matrimonial matters Mental Hygiene Law matters RPTL §730 proceedings consumer credit transactions as defined in CPLR 105(f) residential foreclosures as defined in RPAPL §1304
	defined in RPAPL §1304		Oswego	Consensual/Voluntary: • all actions except - Election Law proceedings - Mental Hygiene Law matters (See Appendix B relating to

matrimonial filings.)

Mandatory: None

^{*} For cases commenced prior to August 16, 2017, see AO/243/08, AO/244/08, AO/371/09, AO/395/10, AO/396/10, AO/507/10, AO/376/11, AO/468/11, AO/527/11, AO/529/11, AO/530/11, AO/531/11, AO/235/12, AO/236/12, AO/237/12, AO/238/12, AO/245/12, AO/112/13, AO/173/13, AO/222/13, AO/029/14, AO/64/14, AO/210/14, AO/049/15, AO/058/15, AO/194/15, AO/10/16, AO/79/16, AO/151/16, AO/224/16, AO/24/17, and AO/84/17; see also, administrative orders of the Court of Claims dated 12/31/02 and 6/3/13 (www.nycourts.gov/efile).

(commenced on or after August 16, 2017)

SUPREME COURT

Putnam	Consensual/Voluntary:	Queens	Consensual/Voluntary:
	•CPLR Art. 70 proceedings		• contract, tort (except for
	•CPLR Art. 78 proceedings		medical, dental, and podiatric
	•Election Law proceedings		malpractice actions, which are
	•matrimonial matters (See]	mandatory)
	Appendix B relating to		• tax certiorari (including RPTL
	matrimonial filings.)		§730 proceedings)
	•Mental Hygiene Law matters	ŀ	 workers' compensation
	•consumer credit transactions as		applications for judgment
	defined in CPLR 105(f)	ł	
	•residential foreclosures as	i	Mandatory:
	defined in RPAPL § 1304	ŀ	• commercial
			 medical, dental, and podiatric
	Mandatory:		malpractice actions
	• all actions <u>except</u>		foreclosure actions (including
	- CPLR Art. 70 proceedings		commercial foreclosures)
	- CPLR Art. 78 proceedings		addressing real property and
	- Election Law proceedings		mechanics liens
	- matrimonial matters	<u> </u>	
	Mental Hygiene Law matters		
	-consumer credit transactions as		
	defined in CPLR 105(f)		

- residential foreclosures as defined in RPAPL § 1304

^{*} For cases commenced prior to August 16, 2017, see AO/243/08, AO/244/08, AO/371/09, AO/395/10, AO/396/10, AO/507/10, AO/376/11, AO/468/11, AO/527/11, AO/529/11, AO/530/11, AO/531/11, AO/235/12, AO/236/12, AO/237/12, AO/238/12, AO/245/12, AO/112/13, AO/173/13, AO/222/13, AO/029/14, AO/64/14, AO/210/14, AO/049/15, AO/058/15, AO/194/15, AO/10/16, AO/79/16, AO/151/16, AO/224/16, AO/24/17, and AO/84/17; see also, administrative orders of the Court of Claims dated 12/31/02 and 6/3/13 (www.nycourts.gov/efile).

(commenced on or after August 16, 2017)

	T
Richmond	Consensual/Voluntary: consumer credit transactions as defined in CPLR 105(f) residential foreclosures as defined in RPAPL §1304 Mandatory: all actions except CPLR Art. 70 proceedings CPLR Art. 78 proceedings Election Law proceedings matrimonial matters Mental Hygiene Law matters applications to extend mechanics liens consumer credit transactions as defined in CPLR 105(f) residential foreclosures as defined in RPAPL §1304
Rockland	Consensual/Voluntary: CPLR Art. 70 proceedings CPLR Art. 78 proceedings matrimonial matters (See AO/366/13 and Appendix B relating to matrimonial filings.) Mandatory: all actions except CPLR Art. 70 proceedings CPLR Art. 78 proceedings Election Law proceedings matrimonial matters Mental Hygiene Law matters

Steuben	Consensual/Voluntary: • all case types (See Appendix B relating to matrimonial filings.) Mandatory: None
Suffolk	Consensual/Voluntary: None Mandatory: • all actions except - CPLR Art. 70 proceedings - CPLR Art. 78 proceedings - civil forfeiture actions - consumer credit transactions as defined in CPLR 105(f) (except initial filing of commencement papers by a represented party, which is mandatory) - Election Law proceedings - emergency medical treatment applications - matrimonial matters - Mental Hygiene Law matters - name change applications - other special proceedings (except CPLR Art. 75 proceedings, which are mandatory)

^{*} For cases commenced prior to August 16, 2017, see AO/243/08, AO/244/08, AO/371/09, AO/395/10, AO/396/10, AO/507/10, AO/376/11, AO/468/11, AO/527/11, AO/529/11, AO/530/11, AO/531/11, AO/235/12, AO/236/12, AO/237/12, AO/238/12, AO/245/12, AO/112/13, AO/173/13, AO/222/13, AO/029/14, AO/64/14, AO/210/14, AO/049/15, AO/058/15, AO/194/15, AO/10/16, AO/79/16, AO/151/16, AO/224/16, AO/24/17, and AO/84/17; see also, administrative orders of the Court of Claims dated 12/31/02 and 6/3/13 (www.nycourts.gov/efile).

(commenced on or after August 16, 2017)

SUPREME COURT

Tompkins Consensual/Voluntary: • all actions except - Mental Hygiene Law matters (See Appendix B relating to matrimonial filings.) Mandatory: None Westchester Consensual/Voluntary: • CPLR Art. 70 proceedings • CPLR Art. 78 proceedings • matrimonial matters (See AO/139/13 and Appendix B relating to matrimonial filings.) • name change applications Mandatory: • all actions except - CPLR Art. 70 proceedings - CPLR Art. 78 proceedings - Election Law proceedings - matrimonial matters - Mental Hygiene Law matters - name change applications

SURROGATE'S COURT

Allegany Broome Cattaraugus Cortland Dutchess Genesee Niagara	Consensual/Voluntary: • probate and administration proceedings • miscellaneous proceedings relating thereto • such other types of proceedings as the court may permit
Orange Orleans Queens Tompkins Wyoming	Mandatory: None

Albany Cayuga Chautauqua	Consensual/Voluntary: • such types of proceedings as the court may permit
Erie Franklin Jefferson	Mandatory: • probate and administration
Livingston Monroe Montgomery	proceedings • miscellaneous proceedings relating thereto
Oneida Onondaga Ontario	3
Schenectady Seneca	
Steuben Warren Wayne	
Westchester Yates	

^{*} For cases commenced prior to August 16, 2017, see AO/243/08, AO/244/08, AO/371/09, AO/395/10, AO/396/10, AO/507/10, AO/376/11, AO/468/11, AO/527/11, AO/529/11, AO/530/11, AO/531/11, AO/235/12, AO/236/12, AO/237/12, AO/238/12, AO/245/12, AO/112/13, AO/173/13, AO/222/13, AO/029/14, AO/64/14, AO/210/14, AO/049/15, AO/058/15, AO/194/15, AO/10/16, AO/79/16, AO/151/16, AO/224/16, AO/24/17, and AO/84/17; see also, administrative orders of the Court of Claims dated 12/31/02 and 6/3/13 (www.nycourts.gov/efile).

(commenced on or after August 16, 2017)

COURT OF CLAIMS

Albany District (Albany, Clinton, Columbia, Essex, Franklin, Greene, Rensselaer, Saratoga, Schenectady, Ulster, Warren, Washington)	Consensual/Voluntary: • claims for personal injury or property damage Mandatory: None
---	--

New York District		
(Bronx, Kings,		
Nassau, New York,		
Queens, Richmond,		
Suffolk)		

Consensual/Voluntary: • claims for personal

 claims for personal injury or property damage

Mandatory: None

CIVIL COURT

New York City	Consensual/Voluntary: • actions brought by a provider of health services specified in Insurance Law §5102(a)(1) against an insurer for failure to comply with rules and regulations promulgated by the Superintendent pursuant to Insurance Law §5108(b) Mandatory: None
------------------	---

^{*} For cases commenced prior to August 16, 2017, see AO/243/08, AO/244/08, AO/371/09, AO/395/10, AO/396/10, AO/507/10, AO/376/11, AO/468/11, AO/527/11, AO/529/11, AO/530/11, AO/531/11, AO/235/12, AO/236/12, AO/237/12, AO/238/12, AO/245/12, AO/112/13, AO/173/13, AO/222/13, AO/029/14, AO/64/14, AO/210/14, AO/049/15, AO/058/15, AO/194/15, AO/10/16, AO/79/16, AO/151/16, AO/224/16, AO/24/17, and AO/84/17; see also, administrative orders of the Court of Claims dated 12/31/02 and 6/3/13 (www.nycourts.gov/efile).

APPENDIX B

Rules Governing the Consensual Electronic Filing of Matrimonial Actions in Supreme Court

(a) Application

- (1) On consent, documents may be filed and served by electronic means in matrimonial actions in the Supreme Court of authorized counties subject to the conditions set forth below. Except as otherwise required by this order/appendix, the provisions of 22 NYCRR § 202.5-b shall apply.
 - (2) For purposes of this order/appendix:
 - (i) "Matrimonial actions" shall mean those actions set forth in CPLR § 105(p) and DRL § 236 wherein:
 - (A) the action is contested, and addresses issues including, but not limited to, alimony, counsel fees, pendente lite, maintenance, custody and visitation, child support or the equitable distribution of property; or
 - (B) the action is uncontested; or
 - (C) the action is a post-judgment application that either (1) addresses an underlying matrimonial action that was commenced electronically, or (2) is electronically initiated with the purchase of a new index number.
 - (ii) A "party" or "parties" shall mean the party or parties to the action or counsel thereto (as set forth in 22 NYCRR § 202.5-b(a)(2)(viii)) and the attorney(s) for the minor child(ren).
- (3) No paper or document filed by electronic means in a matrimonial action shall be available for public inspection on-line or at any computer terminal in the courthouse or the office of the County Clerk.
- (4) Nothing in this section shall be construed to abrogate existing personal service requirements as set forth in the domestic relations law, family court act or civil practice law and rules.
- (5) Unless otherwise directed by the court, forensic evaluation reports in custody, visitation and other matters concerning children shall not be filed electronically.
- (6) Service of the initiating documents in post-judgment applications subject to consensual e-filing must be effectuated in hard copy and accompanied by a notice regarding availability of electronic filing in post-judgment matrimonial proceedings on a form to be approved by the Chief Administrator. Proof of hard copy service shall be filed by electronic means.